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4 **BEFORE THE ARIZONA MEDICAL BOARD**

5 In the Matter of

6 **JEREMY CURRY, M.D.**

7 Holder of License No. **32246**
8 For the Practice of Allopathic Medicine
9 In the State of Arizona.

Case No. MD-13-0482A

**INTERIM ORDER FOR PRACTICE
RESTRICTION AND CONSENT TO
THE SAME**

10 By mutual agreement and understanding, between the Arizona State Medical Board
11 ("Board") and Jeremy Curry, M.D. ("Respondent"), the parties enter into this Interim Consent
12 Agreement, Findings of Fact, Conclusions of Law and Order ("Interim Consent Agreement") as an
13 interim disposition of this matter.

14 **RECITALS**

15 Respondent understands and agrees that:

16 1. The Board, through its Executive Director, may adopt this Interim Consent
17 Agreement, or any part thereof, pursuant to A.R.S. §§ 32-1405(C)(25) and 41-1092.07(F)(5) and
18 A.A.C. R4-16-504.

19 2. Respondent has read and understands this Interim Consent Agreement as set forth
20 herein, and has had the opportunity to discuss this Interim Consent Agreement with an attorney or
21 has waived the opportunity to discuss this Interim Consent Agreement with an attorney.
22 Respondent voluntarily enters into this Interim Consent Agreement and by doing so agrees to
23 abide by all of its terms and conditions.

24 3. By entering into this Interim Consent Agreement, Respondent freely and voluntarily
25 relinquishes all rights to an administrative hearing on the matters set forth herein, as well as all

1 rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative
2 and/or judicial action, concerning the matters related to the Interim Consent Agreement.

3 4. Respondent understands that this Interim Consent Agreement does not constitute a
4 dismissal or resolution of this matter or any matters that may be currently pending before the
5 Board and does not constitute any waiver, express or implied, of the Board's statutory authority or
6 jurisdiction regarding any other pending or future investigations, actions, or proceedings.
7 Respondent also understands that acceptance of this Interim Consent Agreement does not
8 preclude any other agency, subdivision, or officer of this State from instituting civil or criminal
9 proceedings with respect to the conduct that is the subject of this Interim Consent Agreement.
10 Respondent does not intend his acceptance of this Interim Consent Agreement to constitute an
11 admission of any fact or facts and he enters into this agreement as an interim compromise of a
12 pending matter. Respondent further does not relinquish his rights to an administrative hearing,
13 rehearing, review, reconsideration, judicial review or any other administrative and/or judicial action,
14 concerning the matters related to a final disposition of this matter, unless he affirmatively does so
15 as part of the final resolution of this matter.

16 5. Respondent acknowledges and agrees that upon signing this Interim Consent
17 Agreement and returning it to the Board's Executive Director, Respondent may not revoke his
18 acceptance of this Interim Consent Agreement or make any modifications to it. Any modification of
19 this original document is ineffective and void unless mutually approved by the parties in writing.

20 6. Respondent understands that this Interim Consent Agreement shall not become
21 effective unless and until it is signed by the Board's Executive Director.

22 7. Respondent understands and agrees that if the Board's Executive Director does not
23 adopt this Interim Consent Agreement, he will not assert in any future proceedings that the Board's
24 consideration of this Interim Consent Agreement constitutes bias, prejudice, prejudgment, or other
25 similar defense.

1 8. Respondent understands that this Interim Consent Agreement is a public record
2 that may be publicly disseminated as a formal action of the Board, and that it shall be reported as
3 required by law to the National Practitioner Data Bank.

4 9. Respondent understands that this Interim Consent Agreement does not alleviate his
5 responsibility to comply with the applicable license-renewal statutes and rules. If this Interim
6 Consent Agreement remains in effect at the time Respondent's allopathic medical license comes
7 up for renewal, he must renew his license if Respondent wishes to retain his license. If
8 Respondent elects not to renew his license as prescribed by statute and rule, Respondent's
9 license will not expire but rather, by operation of law (A.R.S. § 32-3202), become suspended until
10 the Board takes final action in this matter. Once the Board takes final action, in order for
11 Respondent to be licensed in the future, he must submit a new application for licensure and meet
12 all of the requirements set forth in the statutes and rules at that time.

13 10. Respondent understands that any violation of this Interim Consent Agreement
14 constitutes unprofessional conduct under A.R.S. §§ 32-1401(27)(r) ("[v]iolating a formal order,
15 probation, consent agreement or stipulation issued or entered into by the board or its executive
16 director under this chapter") and 32-1451.

17 **INTERIM FINDINGS OF FACT**

18 1. The Board is the duly constituted authority for the regulation and control of the
19 practice of allopathic medicine in the State of Arizona.

20 2. Respondent is the holder of License No. 32246 for the practice of allopathic
21 medicine in the State of Arizona.

22 3. The Board initiated case number MD-13-0482A upon receiving a complaint
23 regarding Respondent's care and treatment of patient JA. The complaint alleged that Respondent
24 failed to properly perform an epidural injection causing an infection.
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1 4. During the course of the investigation, the Medical Consultant ("MC"), among other
2 things, expressed concern that Respondent was using single dose vials on multiple patients.

3 5. This matter was reviewed by the Board at its meeting on April 18, 2014. The Board
4 expressed the same concern as the MC. In order to gain a better understanding of the
5 Respondent's practice and to ensure public safety, the Board voted to invite Respondent to a
6 Formal Interview at its June meeting and requested that Respondent enter into an interim consent
7 agreement wherein he agrees not to use single dose vials on multiple patients.

8 **INTERIM CONCLUSIONS OF LAW**

9 1. The Board possesses jurisdiction over the subject matter hereof and over
10 Respondent.

11 2. The Executive Director has authority to enter into this Interim Consent Agreement to
12 restrict Respondent's practice based upon evidence that he is unable to safely engage in the
13 practice of medicine pursuant to A.R.S. § 32-1405(C)(25).

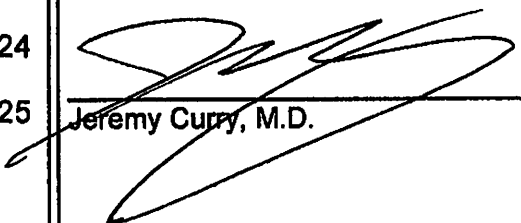
14 **INTERIM ORDER**

15 IT IS HEREBY ORDERED that:

16 1. Respondent is prohibited from using single dose vials on multiple patients. This
17 practice restriction shall remain in effect until Respondent receives the Board's affirmative
18 approval to do so.

19 2. This is an Interim Order and not a final decision by the Board regarding the
20 pending investigative file and as such is subject to modification and further consideration by the
21 Board.

22 3. This Interim Order shall be effective on the date signed by the Board's Executive
23 Director.

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25 _____
Jeremy Curry, M.D.

DATED: 5/16/14

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DATED this 19th day of May, 2014.

ARIZONA MEDICAL BOARD

By C. Lloyd Vest, II
C. Lloyd Vest, II
Executive Director

EXECUTED COPY of the foregoing e-mailed
this 19th day of May, 2014 to:

James C. Goodwin, Esq.
Sanders & Parks, P.C.
3030 North Third Street, Suite 1300
Phoenix, Arizona, 85012
Attorneys for Respondent

ORIGINAL of the foregoing filed
this 19th day of May, 2014 with:

Arizona Medical Board
9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

Mary Baker
Arizona Medical Board Staff